

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CHRISTOPHER CHARLES CLARK,

Plaintiff,

v.

FIDEL GUTIERREZ, et al.,

Defendants.

Case No. 1:21-cv-01386-JLT-EPG (PC)

ORDER REGARDING PLAINTIFF'S
FILING TITLED SUBJECT DISCOVERY
MORE TIME

(ECF No. 46)

Christopher Charles Clark ("Plaintiff") is a state prisoner proceeding *pro se* and *in forma pauperis* with this civil rights action filed pursuant to 42 U.S.C. § 1983, which includes state law claims.

On May 22, 2023, Plaintiff filed a document titled Subject Discovery More Time. (ECF No. 46). Plaintiff states that he does not know all the laws regarding civil lawsuits, and he is unable to find a lawyer. He hopes he will be out of prison in about two months, and then will be able to find a lawyer. Plaintiff thought that filing a 602 exhausted his claims. Plaintiff attaches discovery requests to his filing.

As to Plaintiff's discovery requests, the Court informed Plaintiff that "[d]iscovery requests and responses should be sent to the opposing part(ies), or their counsel if represented. They should not be filed with the Court." (ECF No. 35, p. 4). The Court will take no further action on

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Plaintiff's discovery requests.¹

It is not clear, but it appears Plaintiff is also requesting an extension of time. Plaintiff does not identify any deadline that he wants extended or the length of the extension he is seeking. Nevertheless, the Court will grant Plaintiff an extension of time to file his scheduling and discovery statement.² If Plaintiff needs an extension of any other deadline, or an additional extension of his deadline to file a scheduling and discovery statement or his deadline to respond to Defendants' motion for summary judgment, Plaintiff should file a motion for an extension of time that identifies the deadline(s) he wants extended, the length of the extension he is seeking, and the reason he needs the extension.

Based on the foregoing, IT IS ORDERED that Plaintiff has thirty days from the date of service of this order to file his scheduling and discovery statement.

IT IS SO ORDERED.

Dated: May 25, 2023

/s/ Eric P. Gray
UNITED STATES MAGISTRATE JUDGE

¹ The Court notes that it opened discovery "only on the issue of exhaustion of administrative remedies." (ECF No. 35, p. 2). However, many (if not all) of Plaintiff's discovery requests appear to be related to the merits of his claims and not to the issue of exhaustion.

² On May 23, 2023, the Court granted Plaintiff additional time to respond to Defendants' motion for summary judgment. (ECF No. 45).